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6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION

10 UNITED STATES OF AMERICA,)	No. CR 07-00562 RMW(PVT)
)	
11 Plaintiff,)	STIPULATION TO CONTINUE
)	HEARING AND EXCLUDE TIME;
12 v.)	[] ORDER
)	
13 ALEJANDRO HORTA-GUZMAN,)	
)	
14 Defendant.)	
)	

15 Defendant and the government, through their respective counsel, hereby stipulate that,
16 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for
17 Monday, February 11, 2008, should be continued to Monday, February 25, 2008, at 9:00 a.m.
18 The continuance is being requested because defense counsel requires time to subpoena records
19 from a jail facility which may be relevant to a defense motion.

20 The parties further agree that time should be excluded under the Speedy Trial Act from
21 Monday, February 11, 2008, to Monday, February 25, 2008, because defense counsel requires
22 additional time for investigation and preparation and the ends of justice outweigh the defendant's
23 and the public's need for a speedy trial.
24
25
26

1 Dated: 2/08/08

/s/
LARA S. VINNARD
Assistant Federal Public Defender

3 Dated: 2/08/08

/s/
JEFF SCHENK
Assistant United States Attorney

5
6 **ORDER**

7 The parties have jointly requested a continuance of the hearing set for Monday, February
8 11, 2008, because defense counsel requires additional time to subpoena records which may be
9 relevant to a defense motion.

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
11 presently set for Monday, February 11, 2008, be continued to Monday, February 25, 2008, at
12 9:00 a.m.

13 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
14 from February 11, 2008 to February 25, 2008, shall be excluded from the period of time within
15 which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

16 Dated: 2/12/08

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge